

which have an effect upon the appropriation bill for this coming year and that is the reason they are here. In the case of LB 460, currently, there is general fund appropriation for a number of activities within the educational lands and funds which subsequently, or at least twice a year, rather, the general fund is reimbursed for those costs from the rent that is collected and it is just a paper process. What the bill does, essentially, is puts them in the position of a cash fund so that their operating costs are paid directly from the rent which as a practical matter is the way it is now but it would eliminate the use of general fund and then reimbursing it later on. The second portion of the bill, however, does effect the general fund and the amount of funds distributed back to the schools. Currently, weed control is paid for out of general fund money. It is the only part of the appropriation to the Educational Lands and Funds which is general fund money totally in the amount of \$131,000 and the bill would have the cost for that noxious weed control to also be paid out of the rent that is collected. That is the purpose of the bill but I believe there is an amendment pending on the desk, also, is there not, Mr. Clerk?

CLERK: Mr. President, there is an amendment offered by Senator Marsh. The amendment can be found on page 604 of the Legislative Journal.

PRESIDENT: Senator Marsh.

SENATOR MARSH: Mr. President and members of the Legislature, this amendment is brought at the request of the Educational Lands and Funds to clarify in the event the lessee does not elect to harvest a fall seeded crop, if he is not the one who has the lands for the succeeding year or if he chooses not to harvest. Then the value of the crop at the termination of the lease shall be limited to the cost of seedbed preparation, fertilization, seed and seeding. I move for the adoption of this amendment.

PRESIDENT: Senator Richard Lewis.

SENATOR R. LEWIS: Mr. President, very respectfully, I would oppose this amendment. There is pending now a Supreme Court, in the court, a case involving this very thing. I think that we are denying the tenant, the lessee, what is rightfully his. I think this is something that goes back to Old English Law that what a person engaged in agriculture, a crop that is seeded, he should be privileged to harvest this. I know there is a specific intent intended here but I think that this is not in the best interest of the tenant or perhaps of the trust and I certainly would oppose this amendment.

PRESIDENT: Senator Warner.

SENATOR WARNER: Mr. President, maybe I should ask a question of Senator Lewis. As I understand the amendment, the purpose is to clarify that when a lease changes hands that the individual who previously held the lease, if there is a fall seeded crop would only be reimbursed for the cost of seedbed preparation, fertilizing, the seed and the seeding but I also understand that the lessee would have the option to harvest according to section 72-24.12.